IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 6426 of 2005

Between:

1 Chinta Sahadevudi, s/o Venkaiah,
r/o H.No.10-62, Mori Village, Sakhinetipalli Mandal, East Godavari District.
2 Chinta Subhadramma, w/o Sahadevudu,
r/o H.No.10-62, Mori Village, Sakhinetipalli Mandal, East Godavari District.
3 Chinta Suresh, s/o Sahadevudu,
r/o H.No.10-62, Mori Village, Sakhinetipalli Mandal, East Godavari District.

... PETITIONERS

AND

1 The Principal Secretary, Ministry of External Affairs, Consular Section, Government of India, New Delhi.
2 The Secretary, General Administration Department, A.P.Secretariat Buildings, Hyderabad.
3 The Collector and District Magistrate, East Godavari District, Andhra Pradesh
4 The Mandal Revenue Officer, Sakhinetipalli Mandal, East Godavari District, Andhra Pradesh.
5 The Branch Manager, Canara Bank, East Godavari District.
6 The Branch Manager, Bank of baroda, Kakinada Branch, East Godavari District.
7 The Branch Manager, State Bank of India, Lakkavaram Branch, East Godavari District.
8 Chinta Kasulamma, w/o Venkateswara Rao,
9 Kum.Chinta Srilakshmi, d/o Venkateswara Rao,
10 Kum.Chinta Sulochanadevi, d/o Venkateswara Rao
respondents 9 & 10 are minors rep., by her mother 8th respondent herein
respondents 6 to 8 are r/o 10-62, Mori Village, Sakhinetipalli Mandal, East Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court may be pleased to grant a direction, order, writs more so in the nature of writ of mandamus declaring the action of the respondents in disbursing the death benefits of the deceased to the 8th respondent alone as illegal, arbitrary, null and void, and un-constitutional, consequently direct the respondents to deposit the shares of the petitioners with the 3rd respondent herein and to deposit the minors i.e., 9th and 10th respondents shares in F.D.Rs. till attaining majority as per the understanding dated 31-1-2005.

Counsel for the Petitioner:MR.CHALLA AJAY KUMAR

Counsel for the Respondent NO. 1: A. Rajashekar Reddy, S.C.

Counsel for the Respondent No.2 to 4: GP FOR REVENUE

Counsel for the Respondent No.5: Smt.P. BALA RANI,S.C. for Canara Bank

Counsel for the Respondent No. 7: DEEPAK BHATTACHARJEE, S.C. for S.B.I.

The Court made the following :

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ORDER:

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This writ petition is filed by Chinta Sahadevudu, Chinta Subhadramma and Chinta Suresh seeking a direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in disbursing the death benefits of the deceased-Chinta Venkateswara Rao to the 8th respondent alone as illegal, arbitrary, null and void, and un-constitutional and consequently direct the respondents to deposit the shares of the petitioners with the 3rd respondent herein.

2. One Chinta Venkateshwar Rao died in the road accident in Kuwait. Compensation has been settled and an amount of Rs.29,87,626/- (equallant to K.D. 19,315/-) has been awarded and the same has been sent to the Collector and District Magistrate, East Godavari District for disbursing to lawful beneficiaries after due verification. While so, legal heirs of deceased Chinta Venkateshwar Rao came to certain understanding with regard to apportionment of the compensation and submitted representation dated 31-1-2005.

3. The grievance of the petitioners is that the Collector and District Magistrate, East Godavari District-3rd respondent herein had disbursed the compensation amount to Chinta Kasulamma who is the wife of deceased Chinta Venkateswara Rao-8th respondent herein without considering their claims.

4. Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing on behalf of the respondents No. 1 to 4.

5. The petitioners are parents and brother of deceased Chinta Venkateshwara Rao. Admittedly, compensation has been disbursed to 8th respondent who is the wife of deceased Chinta Venkateshwara Rao. No amount is lying in the hands of the Collector and District Magistrate-3rd respondent herein. If the petitioners have any

claim over the compensation amount, which has been withdrawn by the 8th respondent, the petitioners can workout their remedies in a competent civil Court.

6. Therefore, the writ petition is misconceived and accordingly, the same is dismissed. No order as to costs.

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B.Seshasayana Reddy,J

15th June, 2005.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Principal Secretary, Ministry of External Affairs, Consular Section, Government of India, New Delhi.
2 The Secretary, General Administration Department, A.P.Secretariat Buildings, Hyderabad.
3 The Collector and District Magistrate, East Godavari District, Andhra Pradesh
4 The Mandal Revenue Officer, Sakhinetipalli Mandal, East Godavari District, Andhra Pradesh.
5 The Branch Manager, Canara Bank, East Godavari District.
6 The Branch Manager, Bank of baroda, Kakinada Branch, East Godavari District.
7 The Branch Manager, State Bank of India, Lakkavaram Branch, East Godavari District.
8. 2 CCs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT)

9. 2 CD copies

10 1 CC to MR.DEEPAK BHATTACHARJEE

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

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WRIT PETITION NO : 6426 of 2005

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15th June, 2005.